

AMENDED IN ASSEMBLY MARCH 31, 2016

AMENDED IN ASSEMBLY MARCH 15, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2131

Introduced by Assembly Member Maienschein

February 17, 2016

An act to add Section 5173 to the Vehicle Code, relating to license ~~plates~~: *plates, and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2131, as amended, Maienschein. Specialized license plates.

Existing law establishes a specialized license plate program and requires the Department of Motor Vehicles (DMV) to issue specialized license plates on behalf of a sponsoring state agency that meets certain requirements. Existing law requires that the department charge specified additional fees for the issuance, renewal, or transfer of specialized license plates, and requires the DMV to deposit the fees, less the DMV's costs, into the Specialized License Plate Fund. Existing law requires that moneys in the fund be allocated, upon appropriation by the Legislature, to each sponsoring agency in proportion to the amount that is attributable to the agency's specialized license plate program. Existing law requires the sponsoring state agency to use these moneys exclusively to fund projects and programs that promote the state agency's official policy, mission, or work. Existing law establishes the Food Bank Advisory Committee and requires the committee to advise the Department of Food and Agriculture on the establishment of new food banks and to advise on the adequate and efficient distribution of surplus food commodities to all areas of the state.

~~This bill would require the DMV to deposit fees for the issuance of the Imagine specialized license plates, less the DMV's costs, into the Imagine No Hunger Fund, which the bill would establish in the Specialized License Plate Fund, for the deposit of revenue derived from these specialized license plates for the purpose of funding the Department of Food and Agriculture's Imagine program. The bill would require that these funds be allocated to, upon appropriation by the Legislature, the California Association of Food Banks, a private membership organization of 43 food banks from throughout the state, for proportional disbursement to its members to purchase additional food for distribution to food insecure families under the Imagine program. The~~

This bill would require the Department of Food and Agriculture to apply to the DMV to sponsor an Imagine license plate bearing an image of John Lennon on a light-blue background with clouds and the word "Imagine" under the numerical series. The bill would direct the DMV to deposit the additional revenue from these license plates into the Imagine Account, which the bill would create. The bill would continuously appropriate moneys in the Imagine Account to the Department of Food and Agriculture for allocation to the California Association of Food Banks and further distribution to local food banks. The bill would require the California Association of Food Banks to determine eligibility requirements for food banks receiving the funds under the Imagine program and to develop program specifics. The bill would authorize the California Association of Food Banks to contract with an entity, including a nonprofit organization, to provide advice, consultation, and administrative services for purposes of implementing and administering the Imagine program. The bill would prohibit annual administrative costs of the program incurred by the California Association of Food Banks from exceeding 25% of the funds collected from the issuance of the Imagine specialized license plates. The bill would declare the intent of the Legislature that the DMV, in consultation with the Department of Food and Agriculture, design and make available for issuance the Imagine specialized license plates, as specified. The bill would require the Department of California Highway Patrol to approve the design of the Imagine specialized license plate prior to production, as specified.

Vote: majority. Appropriation: ~~no~~ yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 5173 is added to the Vehicle Code, to
2 read:

3 ~~5173. (a) The fees specified in Section 5157 shall be imposed~~
4 ~~for the issuance, renewal, or transfer of the Imagine specialized~~
5 ~~license plates. Notwithstanding subdivision (e) of Section 5157,~~
6 ~~after deducting its administrative costs, the department shall deposit~~
7 ~~the revenue derived from the additional fees into the Imagine No~~
8 ~~Hunger Fund, which is hereby established in the Specialized~~
9 ~~License Plate Fund, for the Department of Food and Agriculture’s~~
10 ~~Imagine program.~~

11 ~~(b) Upon appropriation by the Legislature, moneys in the~~
12 ~~Imagine No Hunger Fund shall be allocated to the California~~
13 ~~Association of Food Banks for proportional disbursement to its~~
14 ~~members to purchase additional food for distribution to “food~~
15 ~~insecure” families in this state for the sole purpose of increasing~~
16 ~~the amount of food available to “food insecure” Californians.~~

17 ~~(c) Annual administrative costs for the program shall not exceed~~
18 ~~25 percent of the funds collected from the issuance of the Imagine~~
19 ~~specialized license plates, and may include marketing and other~~
20 ~~promotional activities associated with encouraging application for~~
21 ~~or renewal of Imagine specialized license plates.~~

22 *5173. (a) It is the intent of the Legislature that the revenue*
23 *from the “Imagine” license plates issued pursuant to this section*
24 *be used to help end hunger in California.*

25 *(b) The Department of Food and Agriculture shall apply to the*
26 *department to sponsor the Imagine license plate program pursuant*
27 *to this article.*

28 *(c) Except for environmental license plate fees, the fees specified*
29 *in Section 5157 shall be imposed for the issuance, renewal, or*
30 *transfer of the Imagine license plates. Imagine license plates may*
31 *be issued as environmental license plates with no additional fee.*

32 *(d) (1) Notwithstanding subdivision (c) of Section 5157, after*
33 *deducting its administrative costs, the department shall deposit*
34 *the revenue derived from the additional fees into the Imagine*
35 *Account, which is hereby established in the Specialized License*
36 *Plate Fund. Notwithstanding Section 13340 of the Government*
37 *Code, all moneys in the account are continuously appropriated*
38 *without regard to fiscal years to the Department of Food and*

1 *Agriculture for the purposes specified in this section. The*
 2 *Department of Food and Agriculture shall allocate these funds to*
 3 *the California Association of Food Banks, which shall distribute*
 4 *the funds to local food banks, in accordance with paragraph (2),*
 5 *to help end hunger in California.*

6 ~~(d)~~

7 (2) The California Association of Food Banks shall determine
 8 eligibility requirements for food banks receiving funds through
 9 the Department of Food and Agriculture’s Imagine program and
 10 develop program specifics. The California Association of Food
 11 Banks may contract with an entity, including a nonprofit
 12 organization, to provide advice, consultation, and administrative
 13 services for purposes of implementing and administering the
 14 Imagine program.

15 ~~(e) It is the intent of the Legislature that the department, in~~
 16 ~~consultation with the Department of Food and Agriculture, will~~
 17 ~~design and make available for issuance pursuant to this article~~
 18 ~~Imagine specialized license plates for the Imagine program.~~
 19 ~~Specifically, it is the intent of the Legislature that the specialized~~
 20 ~~license plates issued pursuant to this section shall consist of the~~
 21 ~~John Lennon self-portrait image with that image on a light blue~~
 22 ~~sky background, upon obtaining prior consent from the person or~~
 23 ~~persons described in subdivision (e) of Section 3344.1 of the Civil~~
 24 ~~Code, to the left of the numerical series and shall have the word~~
 25 ~~“Imagine” on the bottom of the license plate.~~

26 (e) *License plates issued pursuant to this section shall contain*
 27 *of a full-plate graphic of a light-blue sky with clouds and, in the*
 28 *area described in Section 5155, an image of a duly-licensed*
 29 *self-portrait of John Lennon. The license plates shall also bear*
 30 *the word “Imagine” under the numerical series. The department*
 31 *shall obtain the necessary consent from the persons described in*
 32 *subdivision (c) of Section 3344.1 of the Civil Code.*

33 (f) The Department of the California Highway Patrol shall
 34 approve the design of the Imagine specialized license plate for
 35 legibility, reflectivity, and visibility prior to production.

36 ~~(g) Fees collected the for initial issuance of the Imagine~~
 37 ~~specialized license plates under this section shall be held by the~~
 38 ~~Department of Food and Agriculture until the required number of~~
 39 ~~applications is received by the Department of Food and Agriculture~~
 40 ~~pursuant to Section 5156, and thereafter fees deposited into the~~

- 1 ~~Imagine No Hunger Fund may be allocated, upon appropriation~~
- 2 ~~by the Legislature, to the California Association of Food Banks~~
- 3 ~~pursuant to subdivision (b).~~

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